



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB4922**

by Rep. Wyvetter H. Younge

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.708 new

Creates the Community Investment Corporation Development Act. Creates the Community Investment Corporation Development Commission within the Department of Commerce and Economic Opportunity. Sets forth procedures for appointments to the Commission and sets forth procedures for its operation. Provides that a community investment corporation must be located in St. Clair County. Requires the Commission to make annual reports to the Governor and the General Assembly concerning the establishment and operation of community investment corporations, including a community referenda option. Requires the Department of Commerce and Economic Opportunity to develop and maintain a program to make grants to communities seeking to establish community investment corporations. Requires the Commission to seek out funding sources to enhance the development of community investment corporations. Permits pilot projects that delegate eminent domain powers to citizens. Amends the State Finance Act to create the Community Investment Corporation Fund.

LRB095 18534 JAM 44620 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning community investment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Community Investment Corporation Development Act.

6 Section 5. Definitions. As used in this Act:

7 "Community investment corporation" means a for-profit,  
8 citizen-owned, professionally managed real estate planning and  
9 development corporation or land cooperative that is located in  
10 St. Clair County and that may:

11 (i) receive title to land, natural resources, physical  
12 infrastructure or facility donated by a not-for-profit  
13 organization or government entity;

14 (ii) borrow money on behalf of its shareholders to  
15 purchase land, plan its use, and develop the land and  
16 natural resources for productive and ecologically suitable  
17 purposes; and

18 (iii) enable each citizen whose principal residence is  
19 situated in a local or regional area in which its future  
20 development will be controlled by a community investment  
21 corporation to acquire free as a right of citizenship an  
22 equal, lifetime, non-transferable, private property  
23 ownership stake in local land use and infrastructural

1 development, share profits from land rentals, natural  
2 resource use or extraction revenues, and infrastructure  
3 user fees, and have a voice as an owner in the governance  
4 of future land development in the community.

5 "Commission" means the Community Investment Corporation  
6 Development Commission established in Section 10.

7 "Department" means the Department of Commerce and Economic  
8 Opportunity.

9 Section 10. Community Investment Corporation Development  
10 Commission.

11 (a) The Community Investment Corporation Development  
12 Commission is created within the Department.

13 (b) The Commission shall consist of 11 members appointed by  
14 the Governor, with the advice and consent of the Senate, one of  
15 whom shall be designated as chair of the Commission at the time  
16 of appointment.

17 (c) Of the members initially appointed, 3 members shall  
18 serve a term of one year, 3 members shall serve a term of 2  
19 years, 3 members shall serve a term of 3 years, and 2 members,  
20 one of whom must be the chair, shall serve a term of 4 years.  
21 Thereafter, all terms shall be for 4 years.

22 Section 15. Operation of Commission.

23 (a) The Commission may begin to conduct business upon the  
24 appointment of a majority of the voting members, including the

1 chair.

2 (b) The Commission may adopt bylaws, and it may establish  
3 committees and officers as it deems necessary.

4 (c) For purposes of Commission meetings, a quorum is 6  
5 members. Meetings of the Commission are subject to the Open  
6 Meetings Act. The Commission must afford an opportunity for  
7 public comment at each meeting.

8 (d) Commission members shall serve without compensation,  
9 but may be reimbursed for their reasonable travel expenses from  
10 funds available for that purpose. The Department shall provide  
11 staff and administrative support services to the Commission.

12 Section 20. Recommendations concerning community  
13 investment corporations. The Commission shall gather  
14 information and make annual reports of recommendations to the  
15 Governor and to the General Assembly regarding the  
16 establishment and operation of community investment  
17 corporations. The reports must include recommendations  
18 concerning, without limitation:

19 (1) establishing policies regarding community  
20 investment corporations;

21 (2) approving community investment corporations in the  
22 State or regionally;

23 (3) establishing guidelines for citizens of localities  
24 to petition for local referenda to create community  
25 investment corporations and to determine the participation

1 plan for allocation, shareholder governance and ownership  
2 rights, the issuance and cancellation of shares of  
3 community investment corporations, and the disposition of  
4 assets in the event of their dissolution;

5 (4) establishing tax reforms that encourage the use and  
6 effectiveness of community investment corporations through  
7 their exemption from all State and local taxes on their  
8 holdings of land, natural resources, improvements, other  
9 tangible and intangible assets, undistributed capital  
10 gains and undistributed profits, provided that at least 90  
11 percent of their annual profits are distributed as taxable  
12 dividends, other forms of taxable distributions to its  
13 shareholders and workers, and debt service payments on its  
14 loans;

15 (5) encouraging local or regional pilot projects  
16 involving the delegation of eminent domain powers over  
17 land, natural resources, and infrastructural and other  
18 improvements in the community to the citizens residing in  
19 pilot project areas through community investment  
20 corporations;

21 (6) rendering assistance to localities on problems,  
22 concerns, and issues related to the development of  
23 community investment corporations;

24 (7) undertaking studies and gathering information and  
25 data to accomplish its purposes as set forth in this  
26 Section and to formulate and present its recommendations to

1 the Governor and the General Assembly;

2 (8) applying for, accepting, and expending gifts,  
3 grants, loans, or donations from public, quasi-public, or  
4 private sources, including any matching funds as may be  
5 designated in an appropriation to the Department, to enable  
6 the Commission to carry out its purpose; and

7 (9) accounting annually on its fiscal activities,  
8 including any matching funds received or expended by the  
9 Commission.

10 Section 25. Funding sources.

11 (a) Subject to appropriation, the Department shall develop  
12 and maintain a program to make grants to communities seeking to  
13 establish community investment corporations and encourage them  
14 to become self-sustaining from land rentals and other fees  
15 within the first 5 years of their formation. The procedures for  
16 grant application shall be established by the Department by  
17 rule.

18 (b) The Commission, as a vital part of its function, shall  
19 seek funding from local, State, federal and private sources to  
20 make grants and loans and otherwise enhance the development of  
21 community investment corporations. The Department shall advise  
22 the Commission of all available sources of funding for economic  
23 development that it is aware of and shall assist the Commission  
24 and community investment corporations in securing such  
25 funding.

1           (c) Funds received under this Section shall be deposited  
2           into the Community Investment Corporation Fund, a special fund  
3           in the State treasury. Subject to appropriation, moneys in the  
4           Fund shall be expended for the purposes of this Act.

5           Section 30. Rules. The Commission and the Department may  
6           adopt rules necessary to implement and administer this Act.

7           Section 90. The State Finance Act is amended by adding  
8           Section 5.708 as follows:

9           (30 ILCS 105/5.708 new)

10          Sec. 5.708. The Community Investment Corporation Fund.